

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Initial
SM
5/28/02

NCUBE CORPORATION, :
Plaintiff/ Counterclaim Defendant, :
v. : Civil Action No. 01-11-JJF
SEACHANGE INTERNATIONAL, INC., :
Defendant/ Counterclaim Plaintiff. :

SPECIAL VERDICT FORM

We, the jury, unanimously find as follows:

LITERAL INFRINGEMENT OF nCUBE'S PATENT

1. Do you find that nCUBE has shown by a preponderance of the evidence that one or more of the following claims of the '804 Patent is literally infringed by SeaChange? A "Yes" answer is a finding for nCUBE. A "No" answer is a finding for SeaChange.

	For nCUBE	For SeaChange
Claim 1	YES _____	NO _____
Claim 2	YES _____	NO _____
Claim 3	YES _____	NO _____
Claim 4	YES _____	NO _____
Claim 6	YES _____	NO _____
Claim 7	YES _____	NO _____
Claim 9	YES _____	NO _____
Claim 10	YES _____	NO _____

Claim 12 YES _____ NO _____

Claim 14 YES _____ NO _____

Please go to Question 2.

INFRINGEMENT UNDER THE DOCTRINE OF EQUIVALENTS

2. Do you find that nCUBE has shown by a preponderance of the evidence that SeaChange infringes one or more of the following claims of the '804 Patent under the doctrine of equivalents? A "Yes" answer is a finding for nCUBE. A "No" answer is a finding for SeaChange.

	For nCUBE	For SeaChange
Claim 1	YES _____	NO _____
Claim 2	YES _____	NO _____
Claim 3	YES _____	NO _____
Claim 4	YES _____	NO _____
Claim 6	YES _____	NO _____
Claim 7	YES _____	NO _____
Claim 9	YES _____	NO _____
Claim 10	YES _____	NO _____
Claim 12	YES _____	NO _____
Claim 14	YES _____	NO _____

If your answer to one or more of the claims in Question 1 or Question 2 is "Yes," please go to Question 3. If your answers to all of the claims in Question 1 and Question 2 are "No," please skip to Question 4.

3. If your answer to one or more of the claims in Question 1 or Question 2 is "Yes," do you find that nCUBE has proven by clear and convincing evidence that SeaChange's infringement of the '804 Patent was willful?

For nCUBE	For SeaChange
YES _____	NO _____

Please go to Question 4.

VALIDITY OF nCUBE'S PATENT

4. Do you find that SeaChange has shown by clear and convincing evidence that any of the following claims of the '804 Patent are invalid due to anticipation?

For nCUBE	For SeaChange
Claim 1 NO _____	YES _____
Claim 2 NO _____	YES _____
Claim 3 NO _____	YES _____
Claim 4 NO _____	YES _____
Claim 6 NO _____	YES _____
Claim 7 NO _____	YES _____
Claim 9 NO _____	YES _____
Claim 10 NO _____	YES _____
Claim 12 NO _____	YES _____
Claim 14 NO _____	YES _____

Please go to Question 5.

5. Do you find that SeaChange has shown by clear and convincing evidence that any of the following claims of the '804 Patent are invalid due to obviousness?

	For nCUBE	For SeaChange
Claim 1	NO _____	YES _____
Claim 2	NO _____	YES _____
Claim 3	NO _____	YES _____
Claim 4	NO _____	YES _____
Claim 6	NO _____	YES _____
Claim 7	NO _____	YES _____
Claim 9	NO _____	YES _____
Claim 10	NO _____	YES _____
Claim 12	NO _____	YES _____
Claim 14	NO _____	YES _____

If you answered "Yes" to any one or more claims in Question 1 or Question 2, and answered "No" for any of those same claims in Questions 4 and 5, please go to Question 6. Otherwise, please skip Question 6 and go to the end of the verdict form.

DAMAGES OWED TO nCUBE

6. If you have found that SeaChange has infringed at least one claim of the '804 Patent, and have not found that the infringed claim is invalid, what amount of damages do you find nCUBE to have proven by a preponderance of the evidence?

(a) Total Infringing Sales:

\$ _____

(b) Reasonable Royalty Rate:

_____ %

(c) Total Reasonable Royalty (multiply (a) x (b)):

\$ _____

You each must sign this Verdict Form:

Dated: _____

(Foreperson)

